



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

EMR/GN  
F.#2018R02232

*271 Cadman Plaza East  
Brooklyn, New York 11201*

June 29, 2023

By ECF and E-Mail

Henry E. Mazurek, Esq.  
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125 Park Avenue, 7th Floor  
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Re: United States v. Jacob Daskal  
Criminal Docket No. 21-110 (NGG)

Dear Counsel:

The government writes to provide notice that it may admit certain exhibits at trial as self-authenticating records pursuant to Rule 902(11), Rule 902(13) and/or Rule 902(14) of the Federal Rules of Evidence. Specifically, the government intends to offer the following records as business records pursuant to Rule 803(6) of the Federal Rules of Evidence, which it previously produced to you as Rule 16 discovery:<sup>1</sup>

- Call records obtained from AT&T for the phone number ending in 9128 marked as GX 201(A)- GX 201(D). These records were previously produced to you at DASKAL000575-DASKAL001612, DASKAL001613-DASKAL001621, and DASKAL001638-DASKAL001642. A certification for these records was also previously produced to you at DASKAL001643 and as GX 201(D).
- Additional call records obtained from AT&T for the phone number ending in 9128 marked as GX 202(A)-GX 202(C). These records were previously produced to you at DASKAL000329-DASKAL000331 but are being reproduced to you in a different format. A certification for these records is currently enclosed at GX 202(D).
- Call records obtained from Verizon for the phone numbers ending in 7111 and 7756 marked as GX 203(A)-GX 203(G). These records were previously produced to you at DASKAL000249-DASKAL000322 and DASKAL001703-DASKAL001722.

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<sup>1</sup> The majority of these records were reproduced to you as potential trial exhibits on June 15, 2023 during the parties' discussions as to whether they could reach stipulations about the authenticity of these records.

Certification for these records were previously produced to you as GX 203((H) and GX 203(I).

- Call records obtained from CSC Holdings, LLC for the phone number ending in 6307 marked as GX 204(A) – GX 204(B). These records were previously produced to you at DASKAL000334 and DASKAL000336. A certification for these records was also previously produced to you at DASKAL000338 and again as GX 204(C).
- Records obtained from Airport Van Rental, AVR that are marked as GX 401 and a business records certification is enclosed here as GX 401A.

Rule 902(11) of the Federal Rules of Evidence states that “the original or a copy of a domestic record” is self-authenticating if it “meets the requirements of Rule 803(6)(A)-(C), as shown by a certification of the custodian or another qualified person that complies with a federal statute or a rule prescribed by the Supreme Court.” The enclosed certifications satisfy this requirement.

As you know, an adverse party's consent is not required to authenticate records pursuant to the above Rules. These files were also produced to you earlier in this matter and the majority of them again on June 15, 2023 in an effort for the parties to reach stipulations on the above records. To the extent you have a legal objection to the manner in which the government intends to authenticate these exhibits at trial, please let us know the basis of your objection by July 7, 2023, so that we may present the dispute to the Court for resolution in advance of trial.

Respectfully submitted,

BREON PEACE  
United States Attorney

By: /s/  
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cc: Clerk of Court (NGG) (by ECF)  
Defense counsel (by ECF)